

Declaration For U.S. Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled (Insert Title) **EGF RECEPTOR TRANSACTIVATION BY G-PROTEIN-COUPLED RECEPTORS REQUIRES METALLOPROTEINASE CLEAVAGE OF proHB-EGF**

the specification of which is attached hereto unless the following box is checked:

☒ was filed on December 14, 1999 as United States Application Number 09/461,090.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International Application having a filing date before that of the application(s) for which priority is claimed:

(List prior foreign applications. See note A on back of this page)	<u>99 116 056.5</u>	<u>EP</u>	<u>16 August 1999</u>	Priority Claimed
	(Number)	(Country)	(Day/Month/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	(Number)	(Country)	(Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/> Yes <input type="checkbox"/> No
	(Number)	(Country)	(Day/Month/Year Filed)	

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

<u> </u>	<u> </u>
(Application Number)	(Filing Date)
<u> </u>	<u> </u>
(Application Number)	(Filing Date)

(See Note B on back of this page)

☐ See attached list for additional prior foreign or provisional applications.

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) (U.S. or PCT) in the manner provided by the first paragraph of 35, U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(List prior U.S. Applications or PCT International applications designating the U.S.)	<u> </u>	<u> </u>	<u> </u>
	(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
	<u> </u>	<u> </u>	<u> </u>
	(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

And I hereby appoint as principal attorneys: David T. Nikaido, Reg. No. 22,663; Charles M. Marmelstein, Reg. No. 25,895; George E. Oram, Jr., Reg. No. 27,931; Robert B. Murray, Reg. No. 22,980; E. Marcie Emas, Reg. No. 32,131; Douglas H. Goldhush, Reg. No. 33,125; Monica Chin Kitts, Reg. No. 36,105; Richard J. Berman, Reg. No. 39,107; King L. Wong, Reg. No. 37,500; James A. Poulos, III, Reg. No. 31,714; Patrick D. Muir, Reg. No. 37,403; Sharon N. Klesner, Reg. No. 36,335; and Murat Ozgu, Reg. No. 44,275; Bradley D. Goldizen, Reg. No. 43,637.

Please direct all communications to the following address: **NIKAIDO, MARMELESTEIN, MURRAY & ORAM LLP**
Metropolitan Square
655 Fifteenth Street, N.W., Suite 330 - G Street Lobby
Washington, D.C. 20005-5701
(202) 638-5000 Fax: (202) 638-4810

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(See Note C on back of this page)

Full name of sole or first inventor: Axel ULLRICH

Inventor's signature *Axel Ullrich*

Residence: Türkenstraße 104, 80799 München, Germany

Citizenship: German

Post Office Address: Same as above

2.14.00
Date

Full name of second joint inventor, if any: Norbert PREZEL

Inventor's signature Norbert Prezel

Residence: Gräfelingerstraße 116d, 81375 München, Germany

Citizenship: German

Post Office Address: Same as above

2/14/00

Date

Full name of third joint inventor, if any: Esther ZWICK-WALLASCH

Inventor's signature Esther Zwick-Wallasch

Residence: Am Stiftsbogen 130, 81375 München, Germany

Citizenship: German

Post Office Address: Same as above

2/14/00

Date

Full name of second joint inventor, if any: Henrik Daub

Inventor's signature Henrik Daub

Residence: Frauenzellstraße 16, 93057 Regensburg, Germany

Citizenship: German

Post Office Address: Same as above

2.15.00

Date

0204-2616

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STATEMENT CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) & 1.27(d))--NONPROFIT ORGANIZATION	Docket Number (Optional)
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Applicant, Patentee, or Identifier: _____

Application or Patent No.: 09/461,090

Filed or Issued: 14 December 1999

Title: EGF receptor transactivation by G-Protein coupled receptors requires metalloproteinase cleavage of proHB-EGF

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION Max-Planck-Gesellschaft zur Förderung der

ADDRESS OF NONPROFIT ORGANIZATION Wissenschaften e.V., Hofgartenstraße 8,
80539 München, Germany

TYPE OF NONPROFIT ORGANIZATION:

☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))

☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
 (NAME OF STATE _____)
 (CITATION OF STATUTE _____)

☒ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
 IF LOCATED IN THE UNITED STATES OF AMERICA

☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
 (NAME OF STATE _____)
 (CITATION OF STATUTE _____)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

☐ the specification filed herewith with title as listed above.

☒ the application identified above.

☐ the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

☐ no such person, concern, or organization exists.

☐ each such person, concern, or organization is listed below.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Christa Herzog

TITLE IN ORGANIZATION OF PERSON SIGNING Head of patent department

ADDRESS OF PERSON SIGNING Hofgartenstr. 8, 80539 München

SIGNATURE Christa Herzog DATE 15.3.2000

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.